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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/965,232	09/25/2001	Michael R. Walker	M-8870 US	7891

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EXAMINER

GELIN, JEAN ALLAND

ART UNIT PAPER NUMBER

2617

DATE MAILED: 05/05/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

<b>Office Action Summary</b>	Application No. 09/965,232	Applicant(s) WALKER ET AL.	
	Examiner Jean A. Gelin	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☒ Responsive to communication(s) filed on 07 April 2006.
- 2a) ☐ This action is **FINAL**.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-54 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-54 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                   | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)             |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)<br>Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____  |

## **DETAILED ACTION**

### ***Continued Examination Under 37 CFR 1.114***

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 4/7/06 has been entered.

### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 1, 2, 7-9, 10-16, 28, 29, 34-36 and 37-43 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitao et al. (US 2002/0032048A1, hereinafter Kitao) in view of Yearwood et al. (US 2001/0035683).

Regarding claim 1, Kitao discloses an in-vehicle wireless communication system handset controller (105, figure 2) comprising a central processing unit (205, fig. 3), an interface (202a, figure 3) which allows a wireless communication system handset (106, figure 3) to be controlled by the central processing unit, an input unit (203, figure 3 and figures 7A-7B), an output unit (210, figure 3) comprising a display, wherein the central processing unit executes instructions which allow the keys of the input unit to be used to

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provide input data to the handset, and which output data to be display on the handset on the display of the output unit, while the handset is operationally coupled to the handset controller ((0045) though (00701); Kitao further teaches providing a convenient in-vehicle wireless communication system handset controller that makes an easy-to-operate ((0013) through (00152).

Kitao does not specifically teach the wireless communication system handset accesses a wide area computer network and allow the location information processing unit allows the communication handset to be controlled by CPU; the input unit comprising data input keys larger than keys on a keypad of the handset and the output unit comprising the display larger than a display of the handset, wherein displayed message text characters on the output unit display are larger than displayed message text character on the handset display.

However, the preceding limitation is known in the art of communications. Yearwood teaches a portable computer (corresponding to laptop computer) adapted to communicate wirelessly via a cellular telephone in a vehicle, the laptop computer typically includes larger keypad and screen than a cellular telephone, the user of the system can also transmit and receive E-mail (corresponding to the use of wide area network), information received in the computer can be viewed in large characters (paragraphs 16-41). Therefore, it would have been obvious to one of ordinary skill in the art, at the time of the invention, to implement the technique of Yearwood within the system of Kitao in order to provide a full range mobile telephone services with the additional capability of displaying mobile telephone text messages on the larger and

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more legible display screen instead of restricted screen present in typical mobile phone (paragraph 33).

Regarding claims 2, 29, Kitao in view of Yearwood teaches all the limitation above. Yearwood further teaches from the claimed invention in not specifically teaching a global positioning system chipset coupled to the central processing unit (paragraph 36).

Regarding claim 7, Kitao in view of Yearwood teaches all the limitation above. Kitao further teaches the data input keys on the screen for entering data ([0070]). Thus, one skill in the art would recognize that the data input keys are backlighted.

Regarding claim 8, Kitao in view of Yearwood teaches all the limitation above. Yearwood further teaches to provide the number of data input keys (paragraph 24).

Regarding claim 9, Kitao in view of Yearwood teaches all the limitation above. Kitao further teaches to provide the display for making an easy-to-operate ((0013) through ([0015])). Thus, one skill in the art would recognize that the display is backlighted.

Regarding claims 10, 37, Kitao in view of Yearwood teaches all the limitation above. Yearwood further teaches the display comprising a heads-up display positioned such that a driver of the vehicle sees a displayed image while looking through a windshield of the vehicle (paragraphs 21-22).

Regarding claim 11, Kitao in view of Yearwood teaches all the limitation above. Kitao further teaches the controller (105, fig. 2) being arranged to be viewable by the driver and having a movable display (210, figure 3) so that the controller is rigidly

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positioned in the interior of the vehicle to allow a driver of the vehicle to view messages on the display and to operate the data input keys while seated in a driver's seat ([0049]).

Regarding claims 12-13, Kitao in view of Yearwood teaches all the limitation above. Kitao further teaches an audio recognition process unit being included in the controller and the operation being input according to the sounds that are input with the microphone ([01622]) so that one skill in the art would recognize Kitao teaches a voice command input unit coupled to allow the user to cause the handset to dial a telephone number and to manage messages received by the handset and a voice synthesizer unit coupled to audibly output a message received by the handset. Yearwood further teaches a voice command in paragraph 32.

Regarding claims 14-15, Kitao in view of Yearwood teaches all the limitation above. Kitao further discloses the controller (105, figure 3) being coupled to the handset (106, fig. 3) via a wireless communication link (107, figure 3), wherein the handset is a cellular telephone handset ([0050]).

Regarding claims 16, 43, Kitao in view of Yearwood teaches all the limitation above. Yearwood further discloses a power supply coupled to charge a battery in the handset (paragraph 28).

Regarding claim 28, the limitations of the claim are rejected as the same reasons set forth in claim 1.

Regarding claim 34, the limitations of the claim are rejected as the same reasons set forth in claim 7.

Regarding claim 35, the limitations of the claim are rejected as the same reasons set forth in claim 8.

Regarding claim 36, the limitations of the claim are rejected as the same reasons set forth in claim 9.

Regarding claim 38, the limitations of the claim are rejected as the same reasons set forth in claim 11.

Regarding claims 39-40, the limitations of the claims are rejected as the same reasons set forth in claims 12-13.

Regarding claims 41-42, the limitations of the claims are rejected as the same reasons set forth in claims 14-15.

4. Claims 3, 30 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitao et al. (US 2002/0032048A1) in view of Yearwood further in view of Lilja et al. (US PAT. 5,991,640 hereinafter Lilja).

Regarding claims 3, 30, Kitao in view of Yearwood differs from the claimed invention in not specifically teaching short message service messages being input via the input unit and output through the output unit.

However, it is notoriously well known in the art of a portable cellular telephone having expanded functions including short message services, for example see Lilja (col. 2 lines 19-28). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kitao in view of Yearwood in having short message service messages being input via the input unit and output through the output unit, as per teaching of Lilja, in order to provide expanded functions.

5. Claims 4-6, 17-23, 25-27, 31-33, 44-50, and 52-54 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kitao et al. (US 2002/0032048A1, hereinafter Kitao) in view of Hayashi et al. (JP 10291446A hereinafter Hayashi).

Regarding claims 4-6, Katio in view of Yearwood differs from the claimed invention in not specifically teaching to output a warning to a user if the handset is not coupled to the handset controller and an engine of the vehicle is started or begins to move. However, Hayashi teaches a telephone system comprising a warning unit generating warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state in order to inform the connection status to a user, thereby making user friendly (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Katio in view of Yearwood in outputting a warning to a user if the handset is not coupled to the handset controller depending on the vehicle operating state, as per teaching of Hayashi, in order to inform the connection status to a user, thereby making user friendly.

Regarding claim 17, Katio in view of Yeawood discloses all the limitations as recited in claim 1 above except outputting a warning if the handset is not operationally coupled to the controller.

However, Hayashi teaches a telephone system comprising a warning unit generating warning based on the connection state of a portable telephone mounted in a vehicle and the vehicle state in order to inform the connection status to a user, thereby making user friendly (abstract). Therefore, it would have been obvious to a person of ordinary skill in the art at the time the invention was made to modify Kitao in view of



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Yearwood in outputting a warning to a user if the handset is not coupled to the handset controller, as per teaching of Hayashi, in order to inform the connection status to a user, thereby making user friendly.

Regarding claims 18-19, the limitations of the claims are rejected as the same reasons set forth in claims 4-6.

Regarding claim 20, Kitao in view of Yearwood further in view of Hayashi teaches the data input keys on the screen for entering data ([0070]). Thus, one skill in the art would recognize the controller comprising backlighted keys.

Regarding claim 21, Kitao in view of Yearwood further in view of Hayashi teaches all the limitation above. Yearwood further teaches backlighting a display outputting larger message text characters (paragraphs 21, 33).

Regarding claims 22, 49, Kitao in view of Yearwood further in view of Hayashi teaches all the limitation above. Yearwood further teaches the display comprising a heads-up display positioned such that a driver of the vehicle sees a displayed image while looking through a windshield of the vehicle (paragraphs 21-22).

Regarding claim 23, Kitao in view of Yearwood further in view of Hayashi teaches all the limitation above. Kitao further teaches an audio recognition process unit being included in the controller and the operation being input according to the sounds that are input with the microphone ([0162]) so that one skill in the art would recognize Kitao teaches the step of enabling a voice interface on the handset controller to control the operations of the handset while the handset is operationally coupled to the handset controller.

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Regarding claims 25, 26, 52, and 53, Kitao in view of Yearwood further in view of Hayashi teaches all the limitation above. Yearwood further teaches using the handset controller to determine a geographic position of the vehicle and sending the determined position to a computer in order to make user friendly by providing location information to a user via the navigation system (paragraphs 33 and 36).

Regarding claims 27, 54, Kitao in view of Yearwood further in view of Hayashi teaches all the limitation above. Kitao further teaches the invention being desired for use in the in-car environment ([0014]) so that one skill in the art would recognize one of the received messages being a cargo pickup or delivery instruction to a driver of the vehicle.

Regarding claims 31-33, the limitations of the claims are rejected as the same reasons set forth in claims 4-6.

Regarding 44, the limitations of the claim are rejected as the same reasons set forth in claim 17.

Regarding claims 45-46, the limitations of the claims are rejected as the same reasons set forth in claims 4-6.

Regarding claim 47, the limitations of the claim are rejected as the same reasons set forth in claim 20.

### ***Response to Arguments***

6. Applicant's arguments with respect to claims 1-54 have been considered but are moot in view of the new ground(s) of rejection.

**Conclusion**

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jean A. Gelin whose telephone number is (571) 272-7842. The examiner can normally be reached on 9:30 AM to 7:00 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Banks-Harold Marsha can be reached on (571) 272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JGelin  
Sunday, April 30, 2006

**JEAN GELIN**  
**PRIMARY EXAMINER**

